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Applicants cancel claims 28-29. Claims 1, 27, and 30 have previously been canceled. Claims 2-26 and 31 remain pending in the application. Applicants amend claim 4 to depend from claim 2, amend claim 31 to incorporate features that correspond to those of claim 3, and amend claim 26 for clarification. Applicants refer to page 30, lines 35-37 of the specification for support of the claimed invention. No new matter has been added.

Applicants acknowledge with appreciation the Examiner's allowance of claims 2-3, 5-7, 9-10, 12-14, 16-18, 20-21, and 23-25.

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,992,980 to Brezzo et al. in view of U.S. Patent Application Publication No. 2003/0179712 to Kobayashi et al. Applicants amend claim 26 in a good faith effort to clarify the invention as distinguished from the cited references, and respectfully traverse the rejection.

The Examiner conceded that Brezzo et al. do not disclose the claimed features of:

“the switch unit is multiplexed;
[and]
a working system receiving a back pressure control request from a
passive system discards that back pressure control request.”

And the Examiner relied upon Kobayashi et al. as a combining reference that allegedly suggests these features. Although Kobayashi et al. describe a DS3-SMDS interface selecting only communications data transmitted through ASSWSH of an active system, the cited portions of Kobayashi et al. do not include any disclosure or suggestion of a standby system selecting data transmitted from an active system. Namely, such portions of Kobayashi et al. do not include any suggestion for the claimed feature of

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"the passive system receiving another back pressure control request from the working system does not discard the another back pressure control request."

In other words, even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine Brezzo et al. and Kobayashi et al., such a combination would still have failed to disclose or suggest,

"[a] communications apparatus for switching among different interfaces and comprising a switch unit, the switch unit comprising:

a main switch for switching data of a fixed length; and
an interface having a first buffer for an input of the main switch and a second buffer for an output of the main switch,
wherein:

the switch unit is multiplexed;
a working system receiving a back pressure control request from a passive system discards that back pressure control request;
and

the passive system receiving another back pressure control request from the working system does not discard the another back pressure control request." as recited in claim 26. (Emphasis added)

Accordingly, Applicants respectfully submit the claim 26 is patentable over Brezzo et al. and Kobayashi et al., separately and in combination, for at least the foregoing reasons.

Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Brezzo et al. in view of U.S. Patent Application Publication No. 2002/0085578 to Dell et al.

Applicants amend claim 31 to incorporate features that correspond to those of allowed claim 3. Accordingly, Applicants respectfully submit that claim 31 is patentable for at least the same reasons.

Claims 28-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brezzo et al. in view of U.S. Patent Application Publication No. 2002/0154648 to Araya et al. and further in view of Dell et al.

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Applicants cancel the rejected claims.

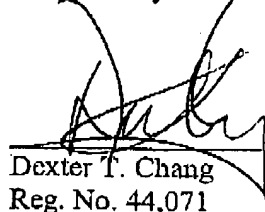
Claims 4, 8, 15, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brezzo et al., U.S. Patent Application Publication No. 2003/0021230 to Kuo et al.; and claims 11 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brezzo et al. and Kuo et al., and further in view of Dell et al.

Applicants amend claim 4 to depend from allowed claim 2. Accordingly, Applicants request that the Examiner allow claim 4 and claims 8, 11, 15, 19, and 22 dependent therefrom.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,


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